01910 U.S.PTO
041604

16834 U.S.PTO
10/825784
041604

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 4860.P2448C3
(maximum 12 characters)

First Named Inventor Douglas L. Heirich

Title: THERMAL MANAGEMENT SYSTEM

Express Mail Label No. EV409360191US

ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. [X] **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original and a duplicate for fee processing)

2. [] **Applicant Claims Small Entity Status. (37 CFR 1.27)**

3. [X] **Specification (Total Pages 16)**
(preferred arrangement set forth below)
- Descriptive Title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. [X] **Drawings(s) (35 USC 113) (Total Sheets 8)**

5. [X] **Oath or Declaration (Total Pages 5)**

a. [] Newly Executed (Original or Copy)

b. [X] Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)

i. [] DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

c. [] Unsigned.

6. [] **Application Data Sheet. (37 CFR 1.76)**

7. [] CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. [] Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

a. [] Computer Readable Form (CRF)

b. [] Specification Sequence Listing on:
i. [] CD-ROM or CD-R (2 copies); or
ii. [] paper

c. [] Statements verifying identity of above copies

Based on Form PTO/SB/05 (08-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 09/12/03.

ACCOMPANYING APPLICATION PARTS

9.	____	**Assignment Papers (cover sheet & documents(s))**
10.	____	a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
	X	b. Power of Attorney
11.	____	English Translation Document (if applicable)
12.	X	a. Information Disclosure Statement (IDS)/PTO-1449 (or PTO/SB/08)
	____	b. Copies of IDS Citations
13.	X	**Preliminary Amendment**
14.	X	**Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15.	____	Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.	X	**Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17A.	____	Claim for Foreign Priority
17B.	____	Other: _____

17C. X **Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.**

18. **If a CONTINUING APPLICATION,** check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title (e.g., by way of preliminary amendment), or in an Application Data Sheet Under 37 C.F.R. 1.76:

X **Continuation** ____ **Divisional** ____ **Continuation-in-part (CIP)**
Of Prior Application No.: 10/462,864 **Examiner** Datskovskiy, Michael V. **Group Art Unit** 2835
(which is a ___ continuation/ ___ divisional/ ___ CIP of prior application no. _____,
which is a ___ continuation/ ___ divisional/ ___ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. **Correspondence Address**
____ **Customer Number or Bar Code Label** _____
or **(Insert Customer No. or Attach Bar Code Label here)**
X **Correspondence Address Below**

NAME BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
ADDRESS 12400 Wilshire Boulevard
Seventh Floor
CITY Los Angeles **STATE** California **ZIP CODE** 90025
Country U.S.A. **TELEPHONE** (408) 720-8300 **FAX** (408) 720-8383

Name (PRINT/TYPE): Kevin G. Shao **Registration No.:** 45,095

Signature: _____ **Date:** 4/15/2004

Based on Form PTO/SB/05 (08-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 09/12/03.

FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT ($) 770.00

Complete if Known:

Application No. Not Yet Assigned
Filing Date Herewith
First Named Inventor Douglas L. Heirich
Examiner Name Not Yet Assigned
Art Unit Not Yet Assigned
Attorney Docket No. 4860.P2448C3

____ **Applicant claims small entity status. See 37 CFR 1.27.**

METHOD OF PAYMENT (check all that apply)

__X__ **Check** _____ **Credit Card** _____ **Money Order** _____ **Other** _____ **None**

_____ **Deposit Account**

Deposit Account Number : 02-2666
Deposit Account Name:

__X__ **The Director is Authorized to do the following with respect to the above-identified Deposit Account:**

- ____ **Charge fee(s) indicated below.**
- __X__ **Credit any overpayments.**
- __X__ **Charge any additional fees during the pendency of this application.**
- __X__ **Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.**
- ____ **Charge fee(s) indicated below except for the filing fee.**

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1001	770	2001	385	Utility application filing fee	770.00
1002	340	2002	170	Design application filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional application filing fee	

SUBTOTAL (1) $ 770.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims	15	**– 20** =**	0	**X**	=	0
Independent Claims	2	**– 3** =**	0	**X**	=	0
Multiple Dependent					=	

****Or number previously paid, if greater; For Reissues, see below.**

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) $ 0

Based on Form PTO/SB/17 (08-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 09/30/03.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814	55	Statutory Disclaimer	
1810	770	2810	385	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,330	1454	1,330	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) $_____

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Kevin G. Shao

Signature: _____ Date: 4/15/2004

Reg. Number: 45,095 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Based on Form PTO/SB/17 (08-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 09/30/03.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor Douglas L. Heirich et al.
Title THERMAL MANAGEMENT SYSTEM

Attorney Docket No. 4860.P2448C3
Express Mail No.: EV409360191US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

4/15/2004
Date

Signature

408-720-8300
Telephone Number

Kevin G. Shao
Typed or Printed Name

45,095
Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing.**

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Based on Form PTO/SB/35 (08-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 09/12/03.

Atty. Docket No. 04860.P2448C3 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Douglas L. Heirich, et al.	)	Examiner: Not yet assigned
	)	
Application No. Not yet assigned	)	Art Unit: Not yet assigned
	)	
Filed: Hereon	)	
	)	
For: THERMAL MANAGEMENT SYSTEM	)	
	)	

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUBMISSION OF FORMAL DRAWINGS

Sir:

Transmitted herewith are **Eight (8)** sheets of the formal drawings for the above-identified application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Submission is enclosed for deposit account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 4/15/2004

Kevin G. Shao
Reg. No. 45,095

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
Telephone: 408-720-8300

"Express Mail" mailing label number: EV409360191US
Date of Deposit: April 15, 2004
I hereby state that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

Deborah A. McGovern
(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

April 15, 2004
(Date signed)